

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-25 are pending in this case. Claim 26 has been canceled without prejudice or disclaimer. Claims 1, 14, 22, and 25 have been amended by the present Amendment. Support for Amended Claims 1, 14, 22, and 25 can be found in the original drawings, claims, and specification.¹ No new matter has been added.

In the outstanding Office Action, Claims 22-26 were rejected under 35 U.S.C. § 101; and Claims 1-26 were rejected under 35 U.S.C. § 102(e), as anticipated by Duncan et al. (U.S. Patent Publication No. 2005/0114672; hereinafter "Duncan").

Applicant acknowledges with appreciation the courtesy of Examiner Lee in granting a personal interview on June 15, 2007. During the interview, a variety of possible claim amendments were discussed. In support of these proposed amendments, steps S10-S21 of Figure 2 were reviewed with the Examiner. Applicant's representatives pointed out that Duncan does not disclose features equivalent to steps S14-S21. Therefore, Duncan does not disclose a second client (i.e., a usage requesting client) for permitting usage of the document storage unit by the second client when the usage permission information previously transferred from the first client to the second client is received by the document management device from the second client. No agreement was reached during the interview.

Regarding the 35 U.S.C. § 101 rejection of Claims 25 and 26, Claim 25 has been amended to define a computer readable storage medium encoded with a computer program configured to cause a processor-based device to execute a method for operating a document management device having a document storage unit for storing a document. Claim 26 is cancelled. MPEP 2106 IV.B.1(a) states that:

¹ See Figure 2 and page 24, line 12, to page 31, line 9 of the specification.

A claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

In view of the presently submitted claim amendments and foregoing comments Applicant respectfully submits that Claim 25 defines statutory subject matter.

In response to the rejection of Claims 22-26 under 35 U.S.C. § 101, Applicant has amended Claim 22 to recite that "allowing the second client to transfer a document stored in the second client directly to the document storage unit." Thus, Applicant respectfully submits that amended independent Claim 22, and all claims depending therefrom, clearly recite a concrete, useful, and tangible result in accordance with 35 U.S.C. § 101 and MPEP 2107.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. § 101 be withdrawn.

In response to the rejection of Claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by Duncan, Applicant respectfully traverses the rejection of Claims 1-10, and 12-23.

It is respectfully noted that the publication date of Duncan, May 26, 2005, is after the effective filing date of the present application, January 24, 2004. Therefore, Duncan is not prior art with respect to Claims 1-10, and 12-23 of the present application under 35 U.S.C. §§ 102(a) or 102(b).

With regard to 35 U.S.C. § 102(e), Claims 1-10, and 12-23 of the present application are supported by Japanese Patent Application No. 2003-022143, filed January 30, 2003. In accordance with 37 C.F.R. § 1.55(a)(4), enclosed please find an English translation of this application, along with a statement that the translation is accurate. It is respectfully submitted that the enclosed document perfects the claim to priority to Japanese Patent Application No.

2003-022143 under 35 U.S.C. §119. As the filing date of Japanese Patent Application No. 2003-022143 (January 30, 2003) antedates the filing date of November 20, 2003 of Duncan, it is respectfully submitted that Duncan does not qualify as prior art with respect to Claims 1-10, and 12-23 of the present application under 35 U.S.C. §102. Accordingly, Duncan may not be used in a rejection of any of Claims 1-10, and 12-23. Therefore, all rejections of Claims 1-10, and 12-23 based on Duncan are traversed.

Claims 11 and 24-26 are not supported by Japanese Patent Application No. 2003-022143, but are believed to be patentable for the reasons discussed below.

Dependent Claim 11 includes the features of independent Claim 1. Amended independent Claim 1 is directed to a document management device having a document storage unit for storing a document including, *inter alia*, “a document usage permission reception unit configured to receive an access permission request from a second client, the second client being a usage requesting client, the access permission request including the usage permission information, the usage permission information permitting access to the document storage unit by the second client and allowing the second client to transfer a document stored in the second client directly to the document storage unit.”

Duncan describes a software permission control wrapper that is used to encrypt and encapsulate digital information for the purpose of enforcing discretionary access control rights to the data contained in the wrapper.² In Figure 8 of Duncan, an Administrator user 120 creates an encrypted archive 100 and adds files 110 and folder 112 to the encrypted archive 100. The Administrator user 120 also adds a new user 122. After adding the new user 122, the Administrator user 120 defines the new user’s permissions (ability to view,

² See the Abstract of Duncan.

decrypt, encrypt files, etc.) for new specific files 110 and folders 112.³ Administrative access control rules 144 are used to manage permissions 114 for all users 122 and 222 of an encrypted archive 100. A user 122 may have the ability to create another user 222 and when user 122 creates user 222, the user 122 may have the ability to give the new user the same permissions that the creator has (e.g. the user 122).⁴

However, Duncan fails to teach or suggest Applicant's claimed document management device. In Duncan, the software permission wrapper allows a content provider (administrator) to control what the recipient (user) can do with sensitive digital information, such as making the data read only; controlling the adding, deleting, or modifying of data; how data is shared with other users; and the time in which digital information can be accessed by users.⁵ In Duncan, a user is granted access permission by an administrator user 120, there is not a "**usage permission information transmission unit** configured to transmit the usage permission information to the first client," as in Applicant's amended independent Claim 1.

Further, in Duncan, there is no transferring of the usage permission information among clients (one of which does not have access to the document management device). Duncan describes that a user 122 can grant a new user 222 access rights similar to the rights held by the user 122. However, Duncan fails to teach or suggest "a document usage permission reception unit configured to receive a access permission request from a second client, the second client being a usage requesting client, **the access permission request including the usage permission information, the usage permission information** permitting access to the document storage unit by the second client and **allowing the second client to transfer a document stored in the second client directly to the document storage unit.**" That is, in Duncan, usage permission information is not **transferred** between clients but rather a user 122 can create new rights in new user 222 that are similar to the rights that user

³ See Duncan at paragraphs [0095] to [0101].

⁴ See Duncan at paragraphs [0107] to [0111].

⁵ See Duncan at paragraph [0014].

122 has. A user 122 creating new rights in a new user 222 is not the same as transferring document usage permission information (generated in the document storage unit) from a usage permission information requesting client (a first client) to a usage requesting client (a second client), because in Duncan an individual (i.e. human being) has to create new rights in new user 222. Whereas, in Applicant's amended Claim 1, usage permission information is first transferred to a first client by a usage permission information transmission unit and the usage permission information is subsequently transferred to a second client.

Accordingly Applicant respectfully submits that amended independent Claim 1 patentably defines over Duncan.

Independent Claims 22 and 25 recite the step of "receiving an access permission request from a second client, the second client being a usage requesting client, the access permission request including the usage permission information, the usage permission information permitting access to the document storage unit by the second client and allowing the second client to transfer a document stored in the second client directly to the document storage unit." Thus, independent Claims 22 and 25 are believed to be patentable for the same reasons as independent Claim 1.

Dependent Claim 24 is dependent on Claim 22 and is believed to be patentable for at least the reasons discussed with respect to independent Claim 22.

Claim 26 is cancelled rendering the rejection moot.

Accordingly, Applicant respectfully request the rejection of Claims 1-26 under 35 U.S.C. § 102(e) as anticipated by Duncan, be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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